



DEAN D. EFSTATHIOU, Acting Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 9, 2008

IN REPLY PLEASE
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
DEE STREET WEST OF SAN PEDRO STREET AND NORTH OF 149TH STREET
UNINCORPORATED COMMUNITY OF ROSEWOOD
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

This action is to vacate Dee Street west of San Pedro Street and north of 149th Street which is no longer needed for public use in the unincorporated community of Rosewood.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that:
 - a. Dee Street west of San Pedro Street and north of 149th Street has been impassable for vehicular travel for five consecutive years, and no public money was expended for its maintenance during such period and that it may, therefore, be vacated pursuant to Section 8331(a) and (b) of the California Streets and Highways Code.

- b. Dee Street west of San Pedro Street and north of 149th Street is excess right of way not required for street or highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.
 - c. Dee Street west of San Pedro Street and north of 149th Street is not useful as a nonmotorized transportation facility, as required by Section 892 of the California Streets and Highways Code.
3. Adopt the Resolution of Summary Vacation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to vacate Dee Street west of San Pedro Street and north of 149th Street (Easement), since it no longer serves as an easement for public road and highway purposes, for which it was dedicated, and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Fiscal Responsibility (Goal 4). The vacation of the Easement will eliminate any possible future maintenance cost and reduce the County's possible future liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,777 square feet and is shown on the map attached to the resolution.

The California Streets and Highways Code Section 8331 provides "The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: (a) for a period of five consecutive years, the street or highway has

been impassable for vehicular travel; (b) No public money was expended for maintenance on the street or highway during such period."

The California Streets and Highways Code Section 8334 provides "The legislative body of a local agency may summarily vacate any of the following: (a) An excess right-of-way of a street or highway not required for street or highway purposes."

The County's interest in the Easement was acquired in 1927 by dedication in Tract No. 7545, recorded in Book 141, pages 5 and 6 of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for public road and highway purposes.

Mr. and Mrs. Thomas Orlando, along with the other adjoining property owner, Field Fresh Holdings LLC, requested the vacation of the remaining portion of Dee Street since it has not been accessible to the public for more than eight years. A portion of Dee Street was vacated in 1981 per Parcel Map No. 13181, filed in Book 146, pages 42 and 43 of Parcel Maps, in the office of said Registrar-Recorder/County Clerk, and the remaining portion was fenced off and converted to a driveway by previous property owners.

Adoption of the attached resolution and the subsequent recordation will terminate the County's rights and interest in the easement. Your action will result in the properties being unencumbered of the easement, and available to the property owners for use without restriction of the easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Sections 15305 and 15321 of the State CEQA Guidelines which state that this class of projects consisting of minor alterations in land use limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

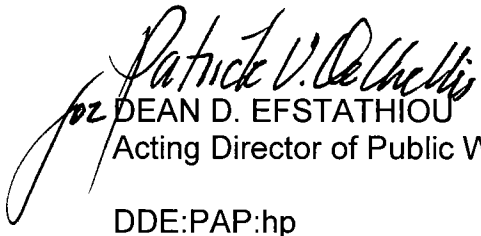
This action will allow for additional property taxes through elimination of the Easement.

The Honorable Board of Supervisors
September 9, 2008
Page 4

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,


for DEAN D. EFSTATHIOU
Acting Director of Public Works
DDE:PAP:hp

Attachment

c: Chief Executive Office
County Counsel

**RESOLUTION OF SUMMARY VACATION
DEE STREET WEST OF SAN PEDRO STREET AND NORTH OF 149TH STREET**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for public road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real properties legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, west of San Pedro Street and north of 149th Street, is located in the unincorporated community of Rosewood in the County of Los Angeles, State of California.
2. The Easement has been impassable for vehicular travel for a period of five consecutive years and no public money has been expended for maintenance on the Easement during this period.
3. The Easement is excess right of way not required for street or highway purposes.
4. The vacation does not terminate any public service easement and existing public utility facilities will not be affected by the vacation of the Easement.
5. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the Streets and Highways Code.
6. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.
7. Public Works be authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement shall no longer constitute a public easement.
8. From and after the date this resolution is recorded, the Easement no longer constitutes a street.


The foregoing resolution was on the _____ day of _____, 2008, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By  _____
Deputy

JLS:hp
P5:M0688113

EXHIBIT A

**DEE STREET WEST OF SAN
PEDRO STREET & NORTH OF
149TH STREET**

A.I.N. 6129-012-044

T.G. 734-D4

I.M. 069-197

R.D. 232

S.D. 2

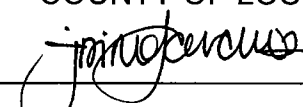
M0688113

LEGAL DESCRIPTION
(Vacation of Easement)

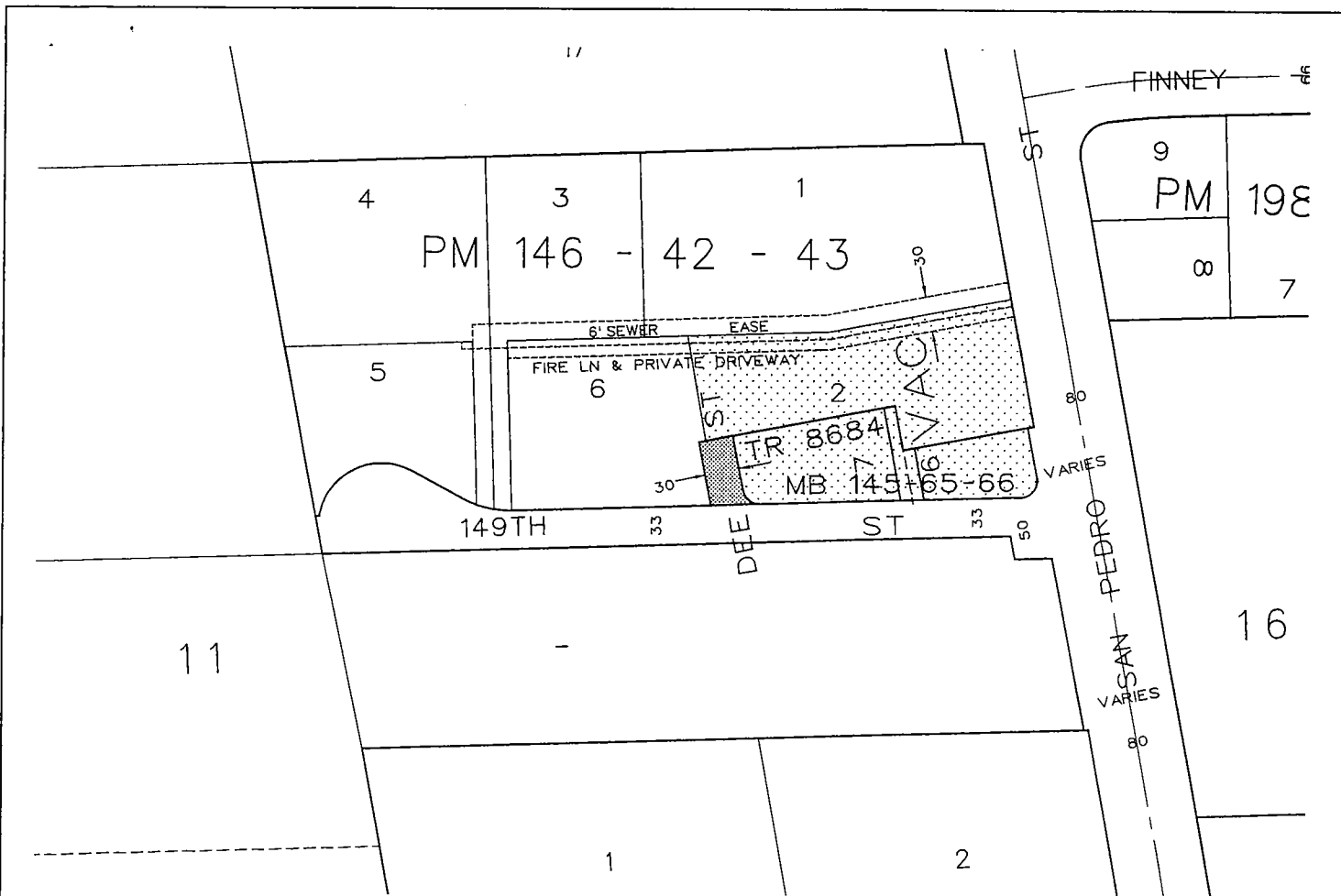
That portion of DEE STREET, 60 feet wide, as shown and dedicated on Tract No. 7545, recorded in Book 141, pages 5 and 6, of Maps, and also shown on map of Tract No. 8684, recorded in Book 145, pages 65 and 66, of Maps, both in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within the following described boundaries:

Beginning at the southeasterly corner of Parcel 6 of Parcel Map No. 13181, as shown on map filed in Book 146, pages 42 and 43, of Parcel Maps, in the office of said Registrar-Recorder/County Clerk; thence North 11°03'28" West 55.75 feet along the easterly line of said parcel to the northerly line of Dee Street, 30 feet wide, as shown on said map of Parcel Map No. 13181; thence North 78°56'32" East 30 feet along said northerly line to the easterly line of said Dee Street; thence South 11°03'28" East 47.78 feet along said easterly line of Dee Street to the beginning of a tangent curve concave to the northeast and having a radius of 15.00 feet; thence southeasterly along said curve through a central angle of 80°49'26", an arc distance of 21.16 feet; thence westerly, tangent to said curve and in a direct line to the point of beginning.

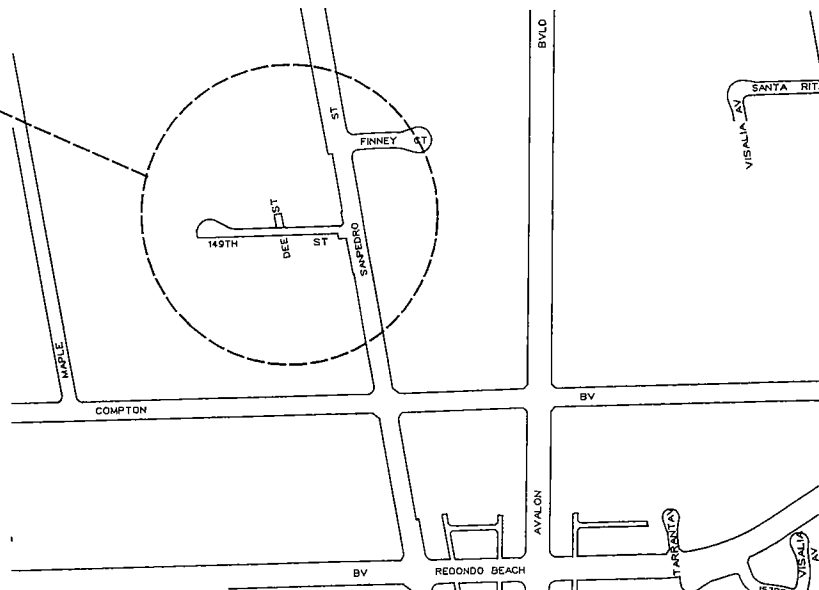
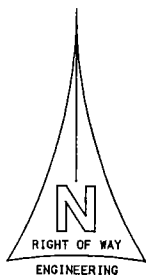
Total Area: 1,777 ± square feet

APPROVED AS TO DESCRIPTION	
July 17, 2008	
COUNTY OF LOS ANGELES	
By	
SUPERVISING CADASTRAL ENGINEER III	
Mapping & Property Management Division	

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.



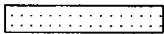
**SUBJECT
LOCATION**



LEGEND



Area to be vacated
Total Area 1,777 ±s.f.



Owned by Applicant

REVISIONS

1. 07-09-08

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.

RD.

A.M.B.

T.G.

2

232

6129-012-044

734-D4

SCALE

DATE

I.M.

NONE

09-21-05

069-197

DEE ST W/O
SAN PEDRO ST
N/O 149TH ST

DRAWING NO.

M0688113